

DECLARATION OF OWNERSHIP OF WATER RIGHT

Perfected Prior to March 19, 1907

1956 JUL -9 PM 1:53 FORM TO BE EXECUTED IN DUPLICATE ACCOMPANIED BY FILING MAP.
(A FEE OF \$1.00 SHALL ACCOMPANY THIS FILING)

STATE ENGINEER'S OFFICE

SANTA FE COUNTY

7-9-56

Declaration No.

01413
01414XX
We,

Ross Martinez

Jose G. Cordova

XXXXXX residents of Cebolla and Hernandez, respectively, County of Rio Arriba

State of New Mexico, being first duly sworn, upon our respective oaths,

declare that ~~XXXXXX~~ we are the Sole ~~XXXXXX~~ owners of a right to make beneficial use of water from

Rito en Media, a tributary of Chama River

on certain lands in the County of Rio Arriba, State of New Mexico, lying under the

Venceslao Martinez Ditch and make these several statements relative thereto:
(Name of Canal, Community Ditch, Flood-Water Ditch, etc.)

1. The Venceslao Martinez Ditch was initiated by construction and use
(Name of Ditch or Irrigation System) (By Survey, by Filing, by Starting Construction)

on or about 1889 and work thereon was diligently prosecuted and carried to
(Year and Month, if Possible)

completion and water was applied to beneficial use on 104 acres of land described hereinafter.

1. a. If the system was subsequently extended, fill in following:

The _____ was extended or enlarged on or
(Name of Ditch or Irrigation System)

about _____ and water was applied to beneficial use on an additional
(Year and Month, if Possible)

_____ acres of land described hereinafter.

(If system was extended or enlarged more than once repeat this paragraph properly filled in and attach hereto.)

2. The filing map which accompanies this declaration shows the point of diversion, the location and hydraulic properties of the main canal, or canals, storage works, etc., and shows all irrigated lands and their respective ownerships. As shown on the map, the main canal is 3 feet wide, has a depth of one feet of water when running at maximum safe capacity, side of slopes of 1 horizontal to 1 vertical, a fall of 2 feet per 1000 feet, and carries a maximum of _____ second feet of water to the irrigated lands. The storage reservoir (if any) holds a maximum of _____ acre-feet of water and is filled, on an average, _____ times per year.

3. The irrigated lands to which water is appurtenant, their ownership, acreage, description by legal subdivision (or otherwise if within a grant), and priority date is determined by date of initiation of such rights are given below:

SUBDIVISION	SEC.	TWP.	RGE.	ACREAGE	OWNER	PRIORITY DATE
01413 → NW 1/4 SE 1/4	25	27N	4E	7	Ross Martinez	1889
01414 → NE 1/4 SW 1/4	25	27N	4E	34	Jose G. Cordova	1889
01414 → NW 1/4 SW 1/4	25	27N	4E	34	Jose G. Cordova	1889
01413 → SE 1/4 SW 1/4	25	27N	4E	12	Ross Martinez	1889
01413 → SW 1/4 SW 1/4	25	27N	4E	17	Ross Martinez	1889
01413						
7.0		34				
12		34				
17		63.42				
3 or ac.						
				104		

(OVER)

EXHIBIT

C

[illegible]

4. The quantity of water applied to beneficial use on the lands equals three acre feet per irrigated acre. The irrigation season is from March to October of each year.

Water ^{is} ~~is not~~ used for stock and domestic purposes all of the time
(Give Period of Use, If Any)

XXX We hereby declare that to the best of XXX our knowledge and belief the above statements are true and correct and that the water has been continuously, uninterruptedly, openly, notoriously and peaceably applied to beneficial uses on the above described lands from the date of the inception of the right to the present time.

X
Wg hereby give notice of the ownership of said water right as appurtenant to said lands.

Declarants

Owner

Title:

Owner

Title*

Title*

Title*

Title*

*Owner, Commissioner, Co-Owner, Director, etc.

Subscribed and sworn to before me this 21st day of May, 1956

My Commission Expires:

Oct 8, 1957

Samuel Z. Montoya Notary Public
In and For the County of Santa Fe,
New Mexico.

01413
01414

AFFIDAVIT

STATE OF NEW MEXICO }
COUNTY OF RIO ARriba } ss

PEDRO MARTINEZ, being first duly sworn upon his oath, deposes and states that he a resident of the Village of Cebolla, located in the County of Rio Arriba, State of New Mexico; that he is 79 years of age; that he is the son of Donaciano Martinez, now deceased, who was also a resident of Cebolla, New Mexico.

Affiant further states that he remembers that prior to the year 1889, the waters from the stream known as "Rito en Medio" followed a definite channel, said channel being located east of Cebolla, New Mexico; that the said stream had its origin from two springs located in what is now the Carson National Forest; that the waters from the said Rito en Medio (Media) were used by my father, Donaciano Martinez, for the purpose of irrigating certain lands now belonging to Ross Martinez and Jose G. Cordova; and that the successors in interest of the aforementioned persons have continued to use the said waters and applied them to the beneficial use of their said lands; that the lands now belonging to Ross Martinez previously belonged to the Affiant herein; that the lands now belonging to Jose G. Cordova formerly belonged to Venceslao Martinez, who had acquired them from Donaciano Martinez, my father, and that continuously over the years since 1889, they have applied the use of said waters to their land for the purposes of irrigation, stock watering and other domestic uses.

Affiant further states that the Rito en Medio (Media) has its source in the Carson National Forest from two springs, which said supply continues through most of the year, and that in the early spring, the run-off from the Carson National Forest is very plentiful, and that by reason thereof, the said creek hereinbefore mentioned carries a considerable amount of water.

Affiant further testifies that he remembers distinctly that the said waters from said creek were used for irrigation purposes on the lands presently owned by Ross Martinez and Jose G. Cordova prior to the year 1889; that said waters were also used for stock watering purposes and domestic purposes; that some small ditches have been in existence on the said lands for the purpose of such irrigation for as long as Affiant herein is able to remember. Further, Affiant sayeth not.

Ross Martinez

Subscribed and sworn to before me this 21 day of May, 1956.

Laudre G. Martinez
Notary Public

My Commission Expires:

June 3, 1959

01413 & 01414

AFFIDAVIT

STATE OF NEW MEXICO }
COUNTY OF RIO ARriba } ss

PEDRO TRUJILLO Y CHACON, being first duly sworn upon his oath, deposes and states that he is a resident of Cebolla, New Mexico, and is 77 years of age; that he has lived in Cebolla, New Mexico, practically all of his life and was born there; that he remembers prior to the year 1889 a small creek known as the Rito en Medio (Media) was in existence, and recalls seeing water flowing in said creek prior to 1889, and that the waters from said creek were used for the purpose of irrigating lands then belonging to Donaciano Martinez, which said lands are presently owned by Ross Martinez and Jose G. Cordova; that as a very young boy, he personally irrigated lands in the immediate vicinity of the Martinez and Cordova lands in the years 1895 and 1896; that the waters from said creek were used for irrigating the said lands, stock watering and for domestic purposes; that until very recently, the waters from the Rito en Medio (Media) were beneficially used by the said lands now belonging to Ross Martinez and Jose G. Cordova.

Affiant further states that the source, or headwaters, of the said creek is in the Carson National Forest, and its original source is two springs which affiant understands are located on privately owned land; that the flow of said creek is in a westerly direction and that in the Spring, when the run-off of the said Carson National Forest increases the flow of said creek, after irrigating the lands of Ross Martinez and Jose G. Cordova, the said creek empties into what is known as the Rio Cebolla, which flows in a westerly direction through the Village of Cebolla, New Mexico. Further, affiant sayeth not.

Pedro Trujillo y Chacon

Subscribed and sworn to before me this 21 day of May, 1956.

My Commission Expires:

June 3, 1959

Quindio A. Martinez
Notary Public